IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.6790 OF 2005

Ashokbhai Nagindas Shah & Ors. ...Applicants
vs.
State of Maharashtra & Ors. ...Respondents

Mr.M.Amin H.Solkar for the Applicants
Mr.A.S.Gadkari,A.P.P. for State

CORAM: A.S.OKA,J.
DATE : OCTOBER 27,2005

P.C.:

1. Heard Shri Solkar for the Applicants and the learned A.P.P. for State. This application is based on apprehension that the Applicants may be arrested in a case registered with the Respondent No.2 by Sarika-wife of the Applicant No.4. By order dated 28th January 2005, application for anticipatory bail made by the Applicants was rejected by the learned Additional Sessions Judge, Kolhapur by observing that from July 2002 till the date, the wife of the Applicant No.4 has not filed any complaint. There is further order dated 15th April 2005 passed by the learned Additional Sessions Judge recording that no complaint is filed by the said Sarika.

2. In the present application. there is no averment regarding any attempt made by the said Sarika to file any fresh complaint against the Applicants after 28th January 2005. There is nothing on record to show that there is a reasonable apprehension that the Applicants will be arrested.

3. Hence, the Application is rejected.

4. However, it is made clear that in case cause of action arises in future, it will be open for the Applicants to file a fresh application for anticipatory bail before the appropriate Court.

JUDGE